

Mr. FITZPATRICK. Mr. Speaker, I am proud to recognize Middletown Township's two newest police officers: Officer Kassidy Grove and Officer Ryan Morrison.

Officers Grove and Morrison, both 23 years old, were sworn in by the Middletown Township Board of Supervisors this week.

Kassidy Grove is a graduate of Pennsbury High School and attended Lock Haven University where she played rugby. She went on to work at the Lehigh County Sheriff's Office and for the Yardley Borough Police Department.

Ryan Morrison graduated from Neshaminy High School, after which he enlisted as a military police officer. He recently graduated from the Temple University Police Academy.

Mr. Speaker, as we celebrate Kassidy Grove and Ryan Morrison joining the police department of my hometown, Middletown Township, we recognize the larger commitment of all law enforcement to step up and serve their communities.

Mr. Speaker, I stand in solidarity with my brothers and sisters of the thin blue line, and I urge all Americans to honor their sacrifice. Together, let us recommit ourselves to the daily ideals and laws that Officers Grove and Morrison and so many others are sworn to uphold.

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HOOR OF MEETING ON TOMORROW

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. DUNN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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POLICE AND CIVILIAN RELATIONS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to take this time from the minority leader on behalf of the Congressional Progressive Caucus. We are doing a Special Order hour this evening on police and civilian relations.

We are joined by the very distinguished Congressman KEITH ELLISON. Before we start, though, I yield to the gentleman from California (Mr. SHERMAN).

HONORING THE LIFE OF NADADUR VARDHAN

Mr. SHERMAN. Mr. Speaker, I rise today to honor the life of my good friend of 30 years, Nadadur Vardhan, a leader in the Indian-American community, who passed away on July 3 of this year at age 70 in Los Angeles, surrounded by his extended family.

Nadadur Vardhan was born in India and immigrated to the United States in

1978. Arriving in America with just the clothes on his back, he poured his energy into building a career as an international tax consultant. Over four decades, he grew his Santa Monica-based accounting practice to a thriving firm.

Nadadur served as President of the Malibu Hindu Temple, one of the largest Hindu temples in the United States, and invited me to speak there and to be there on many occasions. As president of the temple, he was regularly invited to speak to political, cultural, and religious groups across the world. Nadadur also founded the Indo-American Vision Foundation, a pioneering independent think tank that empowered Indian-American political activism.

For his work in promoting the Indo-American community, he received the Ellis Island Medal of Honor. A passionate community leader, he personally met with many U.S. Presidents, Prime Ministers of India, and other elected officials. Nadadur was responsible for organizing several major cultural and political events, many of which I was honored to attend, including the World Hindu Economic Forum, forums with Indian Ambassadors to the United States, and events with a wide range of public figures.

Mr. Speaker, I ask that all of my colleagues join me in honoring his many contributions to our Nation and to extend condolences to his wife, Dr. Indubala Nadadur Vardhan; his daughters, Dr. Malini Nadadur and Anjani Nadadur; his brother, Nadadur Kumar; his sisters, Dr. Pushpa Kasturi and Alamelu Krishnamachary; his extended family; and to all whose lives he touched.

Mr. RASKIN. Mr. Speaker, I thank Mr. SHERMAN for his comments. And again, the Progressive Caucus Special-Order hour tonight is on the subject of the police power in America, and its uses, its abuses, what has been taking place in different parts of the country, and we are going to kick off with KEITH ELLISON, who has been the chair of the Progressive Caucus. And in addition to being a distinguished member of the Congress from Minnesota, he is the vice chairman of the Democratic National Committee.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do appreciate the gentleman for yielding.

Mr. Speaker, I come before the House today to talk about a tragic situation involving Justine Damond. Justine Damond was a young woman who saw what she believed to be a sexual assault outside of her home. She then made a call to the police and asked them to come to give assistance.

Ms. Damond then went outside to try to meet with the police to report what she saw, and for some reason, which no one really knows quite yet, she was shot in the abdomen and died.

Ms. Damond, 40 years old, she was due to be married in only a few weeks. She leaves behind a fiancée, her fiancée's son, her family, her parents, and here

we are again dealing with a tragic situation in which an unarmed civilian has been shot by a member of law enforcement.

Now, as I speak today, Mr. Speaker, I want to be very clear. I know many police officers personally. I know how hard they work. I know the dangers that they incur. I know that they, by and large, join the force because they want to help people, because they are courageous and brave and are willing to put themselves in harm's way in order to protect other citizens. And I myself, and many people I know, have called on the police to stop crimes from happening, to report them, and we are grateful when they report.

But it is also true, Mr. Speaker, that officer-involved shootings happen with tremendous frequency, and it is not even a matter of blaming the officer. We have to ask ourselves what is going on with the system of policing which allows us to return to this tragic scenario again and again and again.

Justine Damond, again, was reportedly in her pajamas, and she was trying to help another person, yet somehow the officer, who was on the passenger side of the squad car, shot through the door or the window, and that is not clear, and she sustained lethal injuries.

One of the most disturbing things about this particular case, Mr. Speaker, is that the officer's body cameras were not turned on. The dash cam did not capture the interaction between Justine and the officers, and the body cams were, again, as I mentioned, not on. This is despite the fact that all Minneapolis police officers have worn body cameras since the end of 2016. Why the body cameras were not on, we can only speculate.

But I urge, with everything I have, that the Minnesota Bureau of Criminal Apprehension, Minneapolis Police Department, and everyone and anyone who has jurisdictional authority investigate the reason for these tools to not be in use.

Justine is dead. Justine is not coming back. And it is true that innocent people get killed by criminals all day, and that is a sad reality of our world. It doesn't just happen in my city of Minneapolis. It happens all over the country. It happens all over the globe.

But I think that citizens expect that members of law enforcement, who are sworn to protect us, would take due care to protect life, not end it, unless there was a legal basis to do so.

Now, again, I don't know what happened here. Nobody really knows what caused the officer to somehow reach over his partner and shoot Ms. Damond in the abdomen and kill her when she is unarmed and wearing pajamas and is the reporter of a crime. The weeks and days ahead will reveal what happened. But I assure you that this will not be the last time that it happens unless, as a society, we begin to ask ourselves why these things are happening.

In our community in Minnesota, we are still trying to figure out how to

deal with it, how to cope with the death of Philando Castile. Philando Castile was shot and killed on videotape, captured on live-stream Facebook. To the credit of John Choi, who was the prosecutor, district attorney in Ramsey County, Minnesota, that officer was charged with the criminal offense of manslaughter, and after a jury trial, that officer was acquitted.

When I looked at the dash cam and saw the officer discharge his firearm into the body of Philando Castile, it was absolutely horrifying, and I couldn't possibly understand why this happened. I don't know what the jurors saw, and I am a lawyer myself, and I support the jury system, but I can tell you that Philando Castile, who did have a firearm, said: Officer, I have a firearm; I have a license to carry a firearm. And the next thing you know, bam, bam, bam, bam, bam, young man dead.

Philando Castile was a beloved member of his community. He was the lunch attendant. He was the lunch manager at Hill Elementary School in St. Paul, and the children needed counseling, and the families needed somebody to explain why was Philando Castile shot this way.

The children are raised to respect the police, but they knew Philando Castile and they loved him, and they couldn't reconcile why the police, who they respect, would hurt Philando Castile, who they also respected and admired and loved.

Jamar Clark, another one from Minnesota, unarmed, shot, killed, tremendous outpouring of community frustration around this, brought an 18-day protest outside of the Fourth Precinct in Minneapolis, and you know, drew the attention of the entire community. And I can assure you that many people, particularly young people, were angry, upset, frustrated, feeling very vulnerable because they just felt that there was no accountability in that their lives just didn't matter very much in the eyes of the people who were sworn to protect and defend them.

We have a community problem, Mr. Speaker. We have to come together and deal with it, and it is simply not enough to say it is all the cops' fault or it is all the citizens' fault. This is a social problem that calls for a social solution.

Part of it will be changes in law. Part of it will be departmental changes. Part of it will be changes in the way we do business. But we have got to have these changes. And if people just say, "It is not my fault, you know, it was an accident, this person had it coming," we will never get to the bottom of these kind of things.

Mr. Speaker, in 1967, there were a state of civil disturbances, some people call riots, throughout our urban areas, and the government responded by issuing something called a Kerner Commission Report, K-E-R-N-E-R. And one of the findings of that is that po-

lice community relations were incredibly bad, that communication was poor, and that the police were essentially sent into areas that were economically and socially isolated and deprived in order to keep order, and what really should have been happening is that we should have been investing in jobs and opportunity and social inclusion, and we just asked the police to sort of just solve this problem without making the investments that our society should have made.

□ 1830

I am sad to say that we really don't seem to have advanced very far. The fact is that often civil disturbances, which are often referred to as riots, occur after these tragic shootings. Civil judgments are paid out. Citizens tend to distrust the police and are less willing to call them when they need them.

There are tremendous social costs to not addressing these officer-involved shootings involving unarmed civilians, and we have to be there to do something about it.

We have seen a number of tragic circumstances all across the country, whether it is Sandra Bland or whether it is Walter Scott in South Carolina, whether it is Eric Garner who died begging for a breath or whether it is all of the victims of Officer Holtzclaw who routinely and systematically sexually abused women in Oklahoma City. The fact is there is great discretionary latitude conferred on our law enforcement officers.

We need more oversight and accountability. We need people to be held accountable when they break the law, and I mean people who are police and people who are not. We need to say that there is one standard of justice and that everyone has to adhere to it.

We know about Michael Brown, 17 years old, shot in 2014, or we could say Tamir Rice. There are so many cases. They just go on and on and on. We are at a point where we have to address this crisis.

Now, Ms. Damond is one of more than 500 fatal shootings by police this year alone. I will say it again, Mr. Speaker. Ms. Damond is one of more than 500 people who have been fatally killed by the police this year. Some of them, the officer may have had legal justification, some not; but when you have got 500 people across this country being shot and killed, it is a crisis that we have to do something about.

This year, I could simply tell you, Mr. Speaker, that offering prayers simply isn't going to get it done. We have a systemic problem, and whether we have to talk about addressing body cameras more and insisting upon their use or whether we need implicit bias training for police to raise awareness of unconscious or implicit biases, whether we need to train officers on the deescalation of force and have training in that regard and, yes, prosecutions of people who just commit

crimes with a uniform on, we have got to take decisive action.

We need more diversity in police departments, and we need more diversity in jury selection. We need grand jury reform, and we need the Department of Justice to keep account of all the cases that involve officer-involved shootings.

One thing we absolutely do not need is for the Attorney General, Jefferson Beauregard Sessions, to abandon consent decrees, which have brought some level of understanding and communication between communities and the police departments. We need a partner in the Federal Government, Mr. Speaker. What is at stake is too important.

We also need quality schools. We need investment in neighborhoods. We need quality jobs and affordable housing. We need healthcare for all, and we need to have clean air and water for everyone. We need those things as part of the ecosystem that human beings live in. But none of these things are a replacement for decent, respectful treatment people deserve from law enforcement.

I am not here to give up. I am here to engage police in a dialogue about how we reduce these shootings, how we increase the trust, how we make sure that no one feels that they can't go to the police because the trust has been so severely damaged.

I believe we have got to come together as a society and recognize that this problem is serious. It is not getting better; in fact, it is getting worse.

When you think about cases involving people like Mya Hall, or Alexa Christian, Meagan Hockaday, Sandra Bland, Natasha McKenna, all African-American women killed by or after encounters with the police, it is not just men; it is women, too. It is not just African Americans; it is whites, too. Justine Damond was a white female. It is Latinos. It is people of different economic stations. It is not just one community. If Ms. Damond's case proves anything, it is that officer-involved shootings of unarmed civilians don't only occur in certain neighborhoods of certain people.

The time is now for us to act. And I do put out a call for police and communities to engage in an intensive discussion about how we restore trust, how we increase accountability, and how we really make it true when we write on the side doors of our police vehicles all across this country, "to protect and serve."

Mr. RASKIN. Mr. Speaker, I thank Mr. ELLISON very much for those very thoughtful and insightful comments.

I want to pick up the discussion about the police power and expand the discussion to include not just power over persons, but power over property in America.

Our Constitution's Framers were deeply informed by the social contract theorists of the 17th and 18th centuries, and those theorists believed that we enter into a social contract out of a state of nature, because we are all

made better off by virtue of being part of a society.

So the first incarnation of it came from Thomas Hobbes in his work on the "Leviathan." Hobbes argued that the state of nature was, in his famous words, "nasty, brutish, and short," because anybody could kill anybody. And so we enter into society together, and we give our power to the leviathan, the government.

Now, the problem with his view, of course, was that the leviathan, the government, had whatever powers it wanted, unlimited, infinite powers. And at that point, as the Framers of our Constitution would see, you have got a real problem, because you might be saved from criminals and bandits and thieves, but now you have got to deal with an all-powerful government and police who can trample your rights just as much as the thieves and the bandits could. So the Hobbesian theory was inadequate.

John Locke, in his famous work on the social contract, improved upon the proposition. The state of nature for him was not quite so frightful a place. There were certain virtues to a state of nature, so people were actually giving something up by going into it.

So in his view, entering the social contract meant that we would surrender some of our powers to government, and certainly our powers to commit violence and theft against other people, but in return, we would be guaranteed rights by the government and we would also have rights against the government, and that was the view that deeply informed the U.S. Constitution.

The whole point of the rule of law is that the people have rights against the government, against those who are just the agents of the sovereign. The sovereign is the people. The people are the sleeping sovereign who can come awake in times of constitution-making and also in order to make law.

Now, the whole social contract becomes unraveled Hobbesian style if we are attacked by the police. So my friend, Congressman POE from Texas, earlier spoke about the horrific spectacle of violence waged against U.S. citizens and others in the streets of Washington, D.C., by the thugs of Prime Minister Erdogan from Turkey, who were unleashed on protesters, and we saw, as Congressman POE said, a scene of really savage violence take place right here in Washington.

I am glad that we have a bipartisan consensus that that kind of police attack on freedom of expression, freedom of assembly is unacceptable in the United States of America, whether it is on citizens or whether it is on permanent residents or whether it is on non-citizens.

But there is something else that is going on in the country having to do with the police power. The police power in common law terms, in the American vernacular, is not just the power that police officers have to regulate public

safety and public order; the police power also has to do generally with the governmental power to regulate.

There are some very troubling things that are taking place in America today. One of them has to do with the eminent domain power. We are seeing rampant abuse of the eminent domain power across the country today, where private developers use their political power and influence in campaign contributions in order to get local governments or State governments to condemn private property of homeowners in order to oust them from their homes in order to build a private project.

Now, one of the chief perpetrators of this business model in the United States of America happens to be the President of the United States, Donald Trump, who has bragged about his use of the eminent domain power and has been involved in a lot of litigation relating to eminent domain power.

I will take you to Atlantic City and introduce you to a woman named Vera Coking, who lived in a three-story house off of the Boardwalk in Atlantic City right next door to the 22-story Trump Plaza that then-businessman Donald Trump had built. Trump had built the hotel; he built the casino; he built a parking garage. But it wasn't enough for him. He wanted a VIP parking garage.

He wanted a parking garage for limos and made an offer, which Ms. Coking refused, on her house so he could demolish her house and build his expanded garage. She said: No, thank you.

He came back with another offer. She said: No, thank you. It is not a question of money. My family has lived in this house for generations, and my kids went to school here, and we belong to the church here. It is not for sale.

Well, then at that point, President Trump, in order to build his gold-plated parking garage for the limos, went to a government agency that he knew well called the Atlantic City Casino Redevelopment Authority to help him take away Ms. Coking's property, and they entered into litigation. Fortunately, she found pro bono counsel in the Libertarian public interest group, the Institute for Justice, a Libertarian think tank and legal action center, and they were able to stop Donald Trump in court in a case called Atlantic City Community Redevelopment Authority v. Banin. Unfortunately, that took place before the famous Kelo v. New London decision in 2005.

Now, there was a very similar scenario in Kelo, in a hard-hit working-class town in Connecticut called New London, where the Pfizer Corporation and a local private land redevelopment authority, one of these shadowy, mixed public-private entities, decided that they wanted to displace a whole neighborhood in New London so they could destroy the blight, as they called it, and put in their brand-new development.

Ms. Kelo, a very soft-spoken single woman, working-class woman, decided

to fight, and she also found the Institute for Justice, and they organized the community to say, no, they were not blight, that they had ties to this community and they were not going to be forced out by these big corporations.

They won all the way up to the Supreme Court, and then a five-Justice majority in the Supreme Court, in the Kelo decision in 2005, determined that it is perfectly constitutional and consistent with the Takings Clause in the Fifth Amendment of our Constitution for a public municipal corporation to condemn a person's private home or a private small business in order to turn it over to another private business if it is consistent with someone's economic redevelopment plan. And this was a decision that President Trump said he "agrees with 100 percent."

Because, remember, that was his business model, that everything is for sale, and if you refuse to sell to Donald Trump and his companies, they are just going to get public authority to come in to get you out of the way so they can condemn your land and take it over.

Now, it turns out that in the Kelo decision, after the Supreme Court's erroneous judgment in it, the land was condemned, Susette Kelo was forced out of her house, and—guess what—they never even built it. Today it is an urban wilderness taken over by wild cats.

□ 1845

Well, let's look at another example of abuse of police power in America today.

I understand that earlier this morning, the Justice Department announced a new Federal policy to help State and local police officers take cash and property from anybody suspected of a crime even without arresting them, even without charging them with a crime, and even without an arrest warrant, reversing an Obama administration rule that was put in place because of rampant abuse of people's rights across the country.

This is the United States of America. The police should not be able to stop people on the street, in their cars, or at their homes and say: I think that the money you have doesn't really belong to you. I think the condo you have doesn't belong to you. I think the car you have doesn't belong to you. I think your property looks suspect. We are going to seize it. And then we are going to hold it, and you have the burden of coming to sue us to prove that your property is innocent—without charging them with a crime, without arresting them, or without using a search warrant. This is what Attorney General Sessions wants to do with the Orwellian new order that he handed down today. He wants to get the Federal Government back into the business of working with State and local governments to simply declare people's property and their money presumptively guilty. And then they have to go out,

hire a lawyer, and go to court to prove that their property or money is clean within the eyes of the government.

But whatever happened to due process? Under our Constitution, we are presumed to be innocent of crimes, and our property should be presumed to be innocent of crimes if there is no legal process at all to condemn our property or to cast a shadow of criminal suspicion over it.

If you look at the history of this, Attorney General Holder barred State and local police from using the Federal legal regime to seize cash and other property without criminal charges or without criminal warrants, which is the right way to do it. That is the constitutional way to think about it.

In a democratic society, the people are presumed to be innocent until they are proven guilty. It is not as if we are walking around with the stigma of being presumed guilty of doing something in the eyes of the State.

Since 2008, thousands of police agencies have made more than 55,000 seizures of cash and property worth \$3 billion under a Justice Department civil asset forfeiture program, which allowed the police to make seizures and then share the proceeds with Federal agencies. It allowed the Federal agencies to cooperate with State and local law enforcement.

Then the Department of Justice said they were disengaging from that because there was a series in The Washington Post about all of the extraordinary abuses taking place.

There was one gentleman, a small business man, a Chinese-American citizen of the United States who was traveling with a lot of money because he was going to purchase a building for his new Chinese restaurant that he was going to open up, and so he had, I think it was around \$25,000 or \$30,000 with him. He got stopped by the police and he was exceedingly nervous about the whole thing. They said he was acting nervous and they took his money from him, his life savings that he was hanging on to in order to go and purchase a building for a Chinese restaurant. Luckily, he found some lawyers, but it took several years for him to get the money back. He lost the deal.

He is in the minority because most people this happens to never go to court to try to get their money back, they are so terrified and demoralized by the experience of having their property taken by government agents without any due process at all.

I urge everyone to go and find that Washington Post series on the abuses that led up to the change in policy that was put into place by Attorney General Eric Holder.

Now, Attorney General Sessions does a U-turn. The administration, which President Trump started by saying he wanted to give power back to the States and back to the people of the United States, instead says the Federal Government is going to be incentivizing more violation of people's

due process rights by allowing seizure of people's property and money.

It goes back to what Congressman ELLISON was talking about: What is this going to do for police-civilian relations in the United States, when people are terrified that their property can be taken away by agents of the State without an arrest, without a criminal warrant, or without any charges at all? That is not right in our country. That is not right in a country that does not allow for a taking of private property without a public purpose. It is not right in a country that is based on due process of law, that is based on probable cause and search warrants for people being searched.

That is where this administration is taking us with the policy that was announced earlier today. It is going to make our communities only more suspicious and only more dangerous.

We have to step back from this Orwellian leviathan vision of government, an all-powerful State that can seize your home or your small business because a big business man like Donald Trump wants your property to build his casino garage for his VIP guests; or because some fancy company decides it wants to redevelop your land; or because the police decide you don't look the right way and we are just going to take your money out of your pocket, we are going to seize what is in your wallet, we are going to take your car, we are going to take your boat, or we are going to take your condo or apartment without any criminal charges at all, and you go and deal with the problem.

Mr. Speaker, in the United States of America, we are a land of laws. The great Tom Paine said that, in the monarchies, the king is law, but in the democracies, the law is king.

We have to abide by the rule of law here. And I am not talking about Democrat, Republican, left, or right. We all have to be constitutional patriots in America, to stand up for our Constitution.

I would invite the President of the United States to come join us here to talk about the problem of eminent domain abuse and to talk about the problem of law enforcement taking people's property and their money without due process of law, because it is a serious threat to everything that we believe in and why we created our social contract. All of us have got to be constitutional patriots and stand up for the basic principles of the country.

Mr. Speaker, I yield back the balance of my time.

AMERICA'S DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHWEIKERT. Mr. Speaker, I yield to my friend from Indiana (Mr. HOLLINGSWORTH).

COSTLY AND BURDENSOME REGULATIONS

Mr. HOLLINGSWORTH. Mr. Speaker, I thank my colleague from Arizona for yielding to me. I promise to be brief.

Mr. Speaker, I rise today to talk about something that Hoosiers back home are talking to me about every single day, and that is to rise to express my support for those struggling against burdensome and costly regulations, those costly regulations that are hurting Hoosier businesses from being able to get their products to market, from ultimately being able to grow their enterprises, and from ultimately being able to hire more Hoosiers.

When Democrats passed the Dodd-Frank Act, they promised a success for Main Street. Instead, Dodd-Frank has become a nightmare for businesses on Main Street.

Specifically, while I was back home just a few weeks ago, I met with two businesses working hard to do right by their customers and employees but confounded by section 1502 of the Dodd-Frank Act.

Section 1502 requires businesses to disclose due diligence on the source and chain of custody of "conflict minerals," as well as hire a third party to honor their due diligence and subsequently submit a report to the SEC on those measures. According to its Democratic authors, this provision would only affect the biggest of companies, but those companies have to bring in all of their suppliers, all of their vendors in order to comply, which affects many small businesses across Indiana's Ninth District.

One of those firms is Best Home Furnishings in Paoli. They manufacture quality furniture across Indiana, and I was astounded to learn the lengths they must go through in order to comply with this regulation. They travel far abroad to verify the wood is conflict-free. And even after all that time-consuming and very costly travel, they are left wondering, despite all of their best efforts, if they are making any impact on those areas that are far from their plants, far from their customers, and far from their employees.

Another such example is Key Electronics, a manufacturer that is working on electronics in Indiana to get through opioid withdrawals for many Hoosiers who are afflicted by this scourge on our communities. It is a laudable goal, but they are hamstrung by the thousands and thousands of dollars they pay to ensure the customers that they work with ultimately get this third-party audit on them and all of their vendors. This challenging business with very thin margins is being limited in what they can invest in innovative, desperately needed therapy for those addicted to opioids.

For every dollar and every moment that a businessowner has to spend complying with this outrageous and unnecessary regulation, those are minutes and dollars that are not directed towards job creation, not directed towards investing in America's future,